



JEFF LANDRY
GOVERNOR

RONNIE S. JOHNS
CHAIRMAN

**IN RE: FITZGERALD CONTRACTORS, LLC
NO. P080900693**

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of March 18, 2024. The Hearing Officer's order dated February 15, 2024, based on the "Joint Motion for Approval of Compromise and Settlement Agreement" in the matter of the "Notice of Recommendation of Administrative Action", by and between Fitzgerald Contractors, LLC No. P080900693, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the *18th* day of *March, 2024*.

LOUISIANA GAMING CONTROL BOARD

LOUISIANA GAMING CONTROL BOARD

I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON

ALL PARTIES THIS 18th DAY
OF March 2024

[Signature]
APPEAL DOCKET CLERK

BY:

[Signature]
RONNIE S. JOHNS, CHAIRMAN

7901 Independence Boulevard, Building A, Baton Rouge, LA 70806
Phone: (225) 925-1846 Email: LGCB@la.gov

LGCB- 7446-24-B

RECEIVED

By Jasmine Dunklin at 1:57 pm, Feb 15, 2024

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

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FEB 09 2024

LA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: FITZGERALD CONTRACTORS, LLC

CASE NO.: P080900693

**JOINT MOTION FOR APPROVAL OF COMPROMISE AND
SETTLEMENT AGREEMENT**

TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:

NOW COME the Louisiana State Police Gaming Enforcement Division (hereinafter, the "Division") and FitzGerald Contractors, LLC (hereinafter, "Permittee"), who file this Joint Motion for Approval of Compromise and Settlement Agreement, and in support thereof would respectively show unto the Hearing Officer as follows:

1.

The Division and Permittee are desirous of compromising and settling all disputes between them relative to the referenced administrative proceeding. In connection therewith, the parties have entered into a Compromise and Settlement Agreement, which by its terms will become effective upon approval by the Administrative Hearing Office and the Louisiana Gaming Control Board.

2.


A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

WHEREFORE, PREMISES CONSIDERED, the Division and Permittee respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

**LIZ MURRILL,
ATTORNEY GENERAL**

By: 
Christopher W. FitzGerald, President/CEO
FitzGerald Contractors, LLC
P.O. Box 6600
Shreveport, LA 71136
Telephone: (318) 861-5435

By: 
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Assistant Attorney General
1885 North Third Street, 5th Floor
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Facsimile: (225) 326-6599
Counsel for Louisiana State Police

**STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE**

IN RE: FITZGERALD CONTRACTORS, LLC

CASE NO.: P080900693

COMPROMISE AND SETTLEMENT AGREEMENT

The Louisiana State Police Gaming Enforcement Division (hereinafter, the "Division") and FitzGerald Contractors, LLC (hereinafter, "Permittee"), do hereby represent and agree as follows:

WHEREAS, the Louisiana Gaming Control Board has sent a Notice of Recommendation of Administrative Action to Permittee, which Notice contains allegations of certain violations of Louisiana Gaming Control Law; and

WHEREAS, the issues raised by said Notice were set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office on February 7, 2024; and

WHEREAS, the Division and Permittee are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with said Notice;

NOW, THEREFORE, in consideration of the foregoing, the parties hereto do hereby agree and stipulate as follows:

STIPULATIONS

I. The Permittee holds a Non-Gaming Supplier Permit and is located at 7103 St. Vincent Ave., Shreveport, Louisiana 71106.

2. On September 21, 2023, the Permittee submitted a Renewal Level II Business Application.

3. After a thorough review and investigation of the renewal application, the Division discovered the following changes to the Permittee's management and company structure:

- i. Otis Allison Cannon was removed from his position as Service Department Manager effective June 13, 2018.
- ii. Karen FitzGerald was promoted to "Office & Safety Manager" effective February 1, 2020.
- iii. George W. Taylor was appointed as the Executive Vice President on July 1, 2020.
- iv. Shamrock Sheet Metal, LLC merged with and into the Permittee with the Permittee being the surviving entity, occurring on June 30, 2020.
- v. Scott Robertson was appointed as the Service Department Manager effective March 1, 2021.

4. Permittee failed to timely notify the division of the previously listed management and company structure changes within 15 days of each occurrence as required by LAC:III.2901(B)(4)(b) and (c).

TERMS AND CONDITIONS

1. In lieu of administrative action, Permittee will pay a penalty of **TWENTY FIVE HUNDRED and 00/100 (\$2,500.00) DOLLARS** for its violation LAC:III.2901(B)(4)(b) and (c).

2. The Division hereby agrees that payment of a total penalty of **TWENTY FIVE HUNDRED and 00/100 (\$2,500.00) DOLLARS** shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Administrative Action.

3. The Division reserves the right to take into consideration this admitted violation in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of Permittee's suitability.


4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Permittee, pertaining to the subject matter contained herein and supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming Control Board for its determination as to whether to approve same or to remand the matter to the Hearing Officer for a full hearing on the merits.

7. If approved, Permittee agrees to make full payment of the civil penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board. Permittee agrees that failure to meet this requirement shall result in immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

I have read this entire Compromise and Settlement Agreement and agree to all stipulations and terms and conditions hereof.



Christopher W. Fitzgerald, President/ CEO on
behalf of FitzGerald Contractors, LLC



Delancey J. Houston, on behalf of
Louisiana State Police Gaming Enforcement
Division

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: FITZGERALD CONTRACTORS, LLC

CASE NO.: P080900693

ORDER

BE IT REMEMBERED that on the 15 day of February, 2024, came for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record or representing themselves, and the Hearing Officer having considered the pleadings on file, the proposed Compromise and Settlement Agreement, and the said Motion, and it appearing to the Hearing Officer that the said Compromise and Settlement Agreement should be approved; it is, therefore,

ORDERED, ADJUDGED, AND DECREED that the Compromise and Settlement Agreement attached to the parties' Joint Motion for Approval of Compromise and Settlement Agreement be, and the same is hereby, **APPROVED**; that FitzGerald Contractors, LLC must pay **TWENTY FIVE HUNDRED and 00/100 (\$2,500.00) DOLLARS** to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming license without the necessity of any further administrative action until such time as the penalty is paid in full.

SIGNED AND ENTERED this 15th day of February, 2024, in Baton

Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE

I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON

ALL PARTIES THIS 15 DAY
OF February, 2024

Elvyn Batisse

DOCKET CLERK, ADMIN. HEARING OFFICE

cc: Fitzgerald Contractors, LLC
Delaney Houston
Sgt. Ruben Brown

Suzan S. Ponder

SUZAN S. PONDER
HEARING OFFICER

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE

BATON ROUGE, LA 2/15/24

Elvyn Batisse

DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE